

1 *[Parties and Counsel Listed on Signature Pages]*

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7 **UNITED STATES DISTRICT COURT**
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**

10 IN RE: SOCIAL MEDIA ADOLESCENT
11 ADDICTION/PERSONAL INJURY
12 PRODUCTS LIABILITY LITIGATION

13 THIS FILING RELATES TO:

14 ALL ACTIONS

MDL No. 3047

Civil Case No. 4:22-md-03047-YGR (PHK)

Honorable Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

15 **STIPULATION AND ~~(PROPOSED)~~**
16 **ORDER REGARDING DEPOSITION OF**
17 **DR. JAMES MCGOUGH AND**
18 **REBUTTAL REPORT OF DR. KARA**
19 **BAGOT**

1 This stipulation relates to the case of David Melton (“Melton Matter”) (*Hicks, et al. v. Meta*
 2 *Platforms, Inc. et al.*, 4:22-cv-06627). To establish a mutually agreeable deadline for Dr. James
 3 McGough’s sur-reply report to the “Rebuttal Expert Report of Dr. Kara Bagot, M.D., Report Re:
 4 David Melton,” and accompanying depositions and briefing deadlines for these expert reports, the
 5 MDL Plaintiffs and Defendants (collectively, the “Parties”) enter into the below stipulation and agree
 6 to continue to meet and confer on this schedule.

7 WHEREAS on October 29, 2024, the Court entered Court Management Order (“CMO”) No.
 8 18 (ECF Dkt. No. 1290), which set forth the case management schedule;

9 WHEREAS pursuant to CMO No. 18, expert discovery in this matter commenced on May 16,
 10 2025;

11 WHEREAS pursuant to CMO No. 18, Plaintiffs’ case-specific opening expert reports were
 12 due on May 19, 2025; Defendants’ case-specific experts responsive reports were due on July 11, 2025;
 13 and Plaintiffs’ case-specific experts rebuttal reports were due on August 1, 2025 (“Rebuttal Report
 14 Deadline”);

15 WHEREAS Plaintiff served the “Expert Report of Dr. Sarah Lowenthal, MD, Report for:
 16 David Melton” (“Lowenthal Opening Report”) on May 19, 2025, and a supplemental expert report,
 17 “Supplemental Expert Report of Dr. Sarah Lowenthal, MD, Report for: David Melton” (“Lowenthal
 18 Supplemental Opening Report”) on June 25, 2025;

19 WHEREAS Defendants served the “Expert Report of James McGough, M.D., M.S.”
 20 (“McGough Responsive Report”) on July 11, 2025;

21 WHEREAS Plaintiff subsequently served the “Rebuttal Report of Dr. Sarah Lowenthal, MD,
 22 Report for: David Melton” (“Lowenthal Rebuttal Report”) on the Rebuttal Report Deadline;

23 WHEREAS Plaintiff also served the “Rebuttal Expert Report of Dr. Kara Bagot, M.D., Report
 24 Re: David Melton” (“Dr. Bagot Rebuttal Report”) on the Rebuttal Report Deadline;

25 WHEREAS Defendants will serve a case-specific expert responsive report authored by Dr.
 26 McGough (“McGough Sur-Reply Report”) responding to the Dr. Bagot Rebuttal Report;

27 WHEREAS the Parties have conferred and agreed to reschedule Dr. McGough’s September
 28 8, 2025, deposition until after Dr. McGough’s Sur-Reply Report has been served;

1 WHEREAS pursuant to the court management conference (“CMC”) on August 22, 2025,
2 Judge Gonzalez Rogers took the specific Personal Injury Bellwethers motions for summary judgement
3 off the calendar to be rescheduled during a later phase (8/22/2025 Hearing Tr. 42:18-21);

4 WHEREAS pursuant to CMO No. 27 (ECF Dkt. No. 2274), Judge Gonzalez Rogers granted
5 the Parties’ Joint Stipulation and ~~[Proposed]~~ Order to Modify Pretrial Schedule (ECF Dkt. No. 2256)
6 on September 23, 2025, and ordered that any remaining motions, including motions specific to the
7 personal injury plaintiffs, shall be decided in the next phase of this litigation;

8 WHEREAS on October 31, 2025, Judge Gonzalez Rogers granted the Parties’ Joint
9 Stipulation Regarding Deposition of Dr. James McGough and Rebuttal Report of Dr. Kara Bagot
10 (ECF Dkt. 2349), and ordered the Parties to meet and confer to identify a mutually agreeable time in
11 November 2025 for Drs. Bagot and McGough’s depositions;

12 **NOW, THEREFORE,** the Parties stipulate and agree as follows:

- 13 1. Defendants preserve and do not waive their right to limit Dr. Bagot to a rebuttal opinion
14 and/or oppose Plaintiff calling Dr. Bagot in their case-in-chief.
- 15 2. The Parties will meet and confer to identify a mutually agreeable time prior to March 15,
16 2026, for Dr. McGough’s deposition in the Melton Matter.
- 17 3. The Parties will meet and confer to identify a mutually agreeable time prior to March 15,
18 2026, for Dr. Bagot’s deposition in the Melton Matter.
- 19 4. Any Rule 702 motions filed in the Melton Matter relating to Dr. Bagot shall be filed within
20 forty-five days of the completion of Dr. Bagot’s deposition, or when the motions are due
21 according to the calendar set by Judge Gonzalez Rogers, whichever is later in time.
- 22 5. Any Rule 702 motions filed in the Melton Matter relating to Dr. McGough shall be filed
23 within forty-five days of the completion of Dr. McGough’s deposition, or when the
24 motions are due according to the calendar set by Judge Gonzalez Rogers, whichever is
25 later in time.

26 Dated: November 7, 2025

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8 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

9 DATED: November 7, 2025

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11 YVONNE GONZALEZ ROGERS
12 UNITED STATES DISTRICT JUDGE
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